

**SPECIAL SESSION  
September 15, 2003**

The Board of Supervisors of Maricopa County, Arizona convened at 9:00 a.m., September 15, 2003, in the Board of Supervisors' Conference Room, 301 W. Jefferson, Phoenix, Arizona, with the following members present: Fulton Brock, Chairman, District 1; Andy Kunasek, Vice Chairman, District 3; Don Stapley, District 2, and Max W. Wilson, District 4. Absent: Mary Rose Wilcox, District 5. This was a Special Joint Meeting with the Planning & Zoning Commission with representation by Commissioners Bob Jones, Mark Pugmire, Bill Clayburg, Abraham Harris and Jerry Astor. (Denny Barney arrived late.) Also present: Fran McCarroll, Clerk of the Board; Shirley Million, Administrative Coordinator; David Smith, County Administrative Officer; Terry Eckhardt, Deputy County Attorney and Joy Rich, Chief Regional Development Services Officer.

### **DISCUSSION REGARDING LUKE AIR FORCE BASE**

Joy Rich, Chief Regional Development Services Officer, explained that discussion would focus on the changing conditions surrounding the White Tank/Grand Avenue Comprehensive Plan and Luke Air Force Base. She suggested that it might be necessary to "rethink" portions of the White Tank Plan. (ADM3423)

Matt Holm, Planning Department, gave a PowerPoint presentation outlining the White Tank/Grand Avenue Plan with appropriate maps of the planning area showing the overall relationship with Luke. He indicated that safety and noise have become issues, along with public welfare, land use planning, and compatibility with the military. The continued approval by the federal review board in keeping the Base open as a training facility could be contingent on the cooperation of the County and towns surrounding the base with regards to zoning and land use. Mr. Holm described the public process and input from the 32-member Project Advisory Committee which was formed to work on this project during the initial two-year process.

Mr. Holm informed the Board of two statute requirements and said that the "White Tank Plan" was bound by both of these as well as current Air Force operations and regulations.

Statute 11:806 – deals with public health safety and welfare  
Statute 28:8481 – deals with land use plans and zoning regulations

Discussion then focused on the public process in developing the plan and the concepts that were created. Four concepts were presented;

- Maintaining current agricultural land uses:
- Transitioning residential densities away from Luke Air Force Base:
- Discouraging residential development:
- Compatibility with employment centers.

Along with these four concepts, several policies were established:

Policy 112 dealt with the maximum allowable residential densities.  
Policies 216 and 217 deal with the noise attenuation within the boundaries of a military airport.  
Policy 218 promoted proper notification.  
Policy 219 dealt with supporting public awareness programs.

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Other policies required the continued support of developers to ensure compatibility with Luke Air Force Base requirements in areas such as graduated housing densities, agriculture and open space designations and employment opportunities. Acceptable housing standards was described as having two dwelling units (DU) per acre at the first breaking point (1/2 mile); four DU per acre at the second point (1 mile) and six DU per acre at the third point, approximately one to three miles from the Base. No more than six units were allowed in the Plan.

**Commissioner Clayberg entered the meeting**

Supervisor Stapley asked if there were any current properties in the area that do not conform to the new guidelines and have been grandfathered. Mr. Holm replied that a caveat had been added to the plan which states that land use designations do not supercede existing zoning. Ms. Rich stated that this might result in some areas maintaining higher density's than is allowed in the proposed plan.

Commissioner Clayberg asked how much input had been received from property owners in drawing up the White Tank Plan.

Mr. Holm responded that there had been sub-area focus groups with one group focusing on Luke and related issues. He said that there had been very adequate input received from interested citizens and property owners.

Supervisor Brock asked how the public information process had been conducted and how many members of the public attended the scheduled meetings. He said he had received reports that some residents had been left out and uninformed.

Mr. Holm responded that they had utilized an extensive advertising campaign and he believed that the public was appropriately notified and represented by attendance at the planning sessions, public meetings, facilitated focus groups and on the Project Advisory Committee. Newsletters were mailed to a wide-ranging list on a regular basis and the corresponding informational website was kept current. Legal ads were published in appropriate publications.

Supervisor Wilson asked if we have a current statute that permits down zoning. Ms. Rich responded in the affirmative and said that the caveat in Title 11 requires at least one dwelling unit per acre as an alternate classification or zoning on a property even if it is designated as an open space. She said that Environmental Services could permit more than one unit per acre depending on soil conditions

Commissioner Pugmire asked if density issues cover only noise or if it also includes safety issues. Mr. Holm responded that both were considered.

Supervisor Brock asked what steps could be taken if the Federal Government decided to move the fighter wing to another air force base and if Luke would stay open under such circumstances. Joy Rich responded that if the federal government decided to shut down Luke Air Force Base the County would have to rethink the entire White Tank/Grand Avenue Comprehensive Plan.

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Supervisor Kunasek stated that Luke is critical to this area's economic welfare and to the defense mechanism of the country and he hoped that wisdom would prevail and the Base would be kept open. He questioned whether there would be a way the County could buy the land if the Base was vacated. Discussion ensued on this and how the land would be appraised; on possible strip annexation/de-annexation by Glendale; lot-splitting by owners; the possibility of creating a special district so landowners could be compensated; Aux 1 and the importance of an auxiliary base ancillary to Luke was noted; flight paths and safety of those in nearby dwellings was addressed; the desirability of the County being the zoning authority in the area and the expected role that the federal government should play in maintaining the Base was also discussed.

Commissioner Pugmire asked, "Are we trying to renew the development policy around Luke to preserve it?"

Supervisor Kunasek replied that the policy surrounding Luke has been "a moving target" with cities changing their goals and objectives with regards to their "devotion" to Luke. He added that they might be getting more restrictive as a whole, in order to increase additional protection. He said that some "think we are loving Luke to death" but it is recognized as an important element in the economic well being of the West Valley and the County as a whole. He indicated that it is the landowners who carry the burden and questioned if that could someday exceed the benefits that come from Luke. He added his belief that the best solution may be to acquire the land and take the issue off the table.

Commissioner Pugmire asked, "Are we essentially saying that we don't believe Luke's plan?"

Colonel Rusty Mitchell, who is on Luke's community initiatives staff with three others, addressed the "moving line" issue by saying that General Breedlove had recognized its importance as a full-time issue that requires a full-time staff. He said that there is also a "consistency issue" that may be unrecognized by governments that arises from the rotation of Base commanders every 18-24 months, with each new commander having to be educated on the matter. Col. Mitchell has now been assigned to help provide continuity with incoming commanders, which should alleviate many problems.

Chairman Brock asked Col. Mitchell if he had any idea when Congress would hold their next evaluation of Air Force bases.

Col. Mitchell explained that this would be done by BRAC (Base Realignment and Closure Committee) and it is impossible to know at this time where Luke stands in the 25% reduction timeline. He believed that the 3<sup>rd</sup> quarter of 2005 is when the next list will be published and that preliminary reports would be presented during the 2<sup>nd</sup> quarter of 2004. He indicated that the process cycles every two to three years and each commission "comes up with their own list of criteria, but density and residents living too close to the perimeter of a base have always been a high priority."

Chairman Brock said that Arizona and Maricopa County has connections with known terrorist groups and their activities and he felt it would be important to consider "our" assets. He added that Maricopa County is experiencing rapid growth and "we're in a vacuum and don't know what other areas of the country do to protect property owners, etc., around their bases."

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Col. Mitchell said that the State of Arizona is leading the nation in legislation to protect Luke and that other states actually look to Arizona for ways to protect their military installations." He felt the GDC (Graduated Density Concept) would be important to emphasize the gradation of density away from the noise contour lines already established. He advised all government entities to work through their congressional leaders and to support all military installations in Arizona. He added that the landowners also need to have a "seat at the table" so they can be heard.

Commissioner Pugmire said, "We have a plan and GDP. If we stick to it how likely are we to survive?"

Col. Mitchell replied that if West Valley development goes according to the plan that it would go a long way toward protecting and maintaining the Base. He added, "Luke is a major national asset."

Ms. Rich said that guidelines for the Commission would be that if a developer devises a plan using a municipality's guidelines and has had active participation and approval by residents, then Planning would go along with the city's plan. She added, "We rely heavily on a city's general plan in compliance. Our plan allows us to protect the Base." She said that Planning might require additional direction from the Board.

Commissioner Pugmire said that in interpreting a city's general plan, it is often in conflict with the Planning Commissions' recommendation. He asked if the County would be in agreement with the Commission's exercising their discretion despite city policy. Supervisor Wilson said, "Yes."

Supervisor Kunasek asked Col. Mitchell if he felt that Luke would be able to flourish during the next 20 years with the build-out expected throughout the entire West Valley.

Col. Mitchell said, "Yes, if we address the lot splitting issue and generally adhere to the White Tank/Grand Avenue Plan." He said the plan was intended to support agricultural use. In response to a question, Col. Mitchell reported that Luke is not involved in any environmental-issue problems and is in fact, one of the cleanest bases in the country.

The government's acquisition of land south of Luke and extending to the Goldwater Range, in order to keep the area open, was mentioned. Col. Mitchell was asked if he knows of plans to acquire any additional land.

Col. Mitchell replied that all of the needed land has not yet been acquired, only 273 acres at the fence line that is needed for weapon access and storage. He said an additional \$14.3 million has been requested for a southern departure corridor, but it has not been approved.

Ms. Rich reported that she would hold discussions with the Planning Commission and then make a recommendation on changes to the Board.

Supervisor Stapley thanked the Planning Commission members for attending this joint meeting and for the time they spend determining the proper course of action in all the planning and zoning cases they hear. He added, "We almost always take your recommendation."

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**MEETING ADJOURNED**

There being no further business to come before the Board, the meeting was adjourned.

ATTEST:

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Fulton Brock, Chairman of the Board

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Fran McCarroll, Clerk of the Board